

IKEHARA, M. et al.  
Appl. No. 10/812,317  
January 23, 2006

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. In particular, reference numeral 4A-1 has been added to Fig. 1 to be consistent with paragraph [0050] of the specification.

Attachment: Replacement Sheet (1)

**REMARKS**

This is in response to the Office Action dated August 23, 2005. New claims 10-13 have been added. Thus, claims 1-13 are now pending.

As an initial housekeeping matter, Fig. 1 has been amended to include reference numeral 4A-1 to be consistent with paragraph [0050] of the specification.

**Sakai is not prior art**

Certain rejections were made based on Sakai. However, *Sakai (US 2004/0156299) is not prior art* to the instant application. The instant application claims priority on JP 2003-094196 filed March 31, 2003, which pre-dates Sakai's U.S. filing date of November 17, 2003 (note that the U.S. filing date of Sakai is apparently missing from the front page of the reference). Moreover, it is believed that the JP priority applications of Sakai were withdrawn. An IDS listing the PCT publication of Sakai has been filed herewith (this published y 15, 2003, also after the instant application's priority date).

A certified English translation of JP 2003-094196 is attached hereto to perfect priority. Thus, all rejections based on Sakai should be withdrawn.

**Art Rejections Based on Komma**

Claim 1 stands rejected under 35 U.S.C. Section 102(e) as being allegedly anticipated by Komma. This Section 102(e) rejection is respectfully traversed for at least the following reasons.

Claim 1 as amended requires that "the three-beam diffraction grating is not located in a forward path of the forward beam between the laser emission part and the polarization hologram, and wherein the three-beam diffraction grating is located only in a backward path of one of the holographic diffracted beams." For example and without limitation, Fig. 1 of the instant

application illustrates that three-beam diffraction grating (7) is not located in a forward path of the forward beam (70) between the laser emission part (2) and the polarization hologram (6), and that the three-beam diffraction grating (7) is located in a backward path of only one of the holographic diffracted beams (72).

Komma fails to disclose or suggest the aforesaid underlined feature of claim 1. In particular, Komma fails to disclose or suggest that the alleged three-beam diffraction grating (42) is *not* located in a forward path of the forward beam between the laser emission part and the polarization hologram, and that the three-beam diffraction grating is located only in a backward path of *one* of the holographic diffracted beams. Komma is entirely unrelated to the above underlined features of claim 1. Komma's alleged grating (42) is located directly in the path of the forward beam, thereby teaching the opposite of what claim 1 requires.

Claim 9 requires that “the three-beam diffraction grating is not located in a forward path of the forward beam between the laser emission part and the polarization hologram; and wherein the three-beam diffraction grating is located in a backward path of only one of the holographic diffracted beams.” Again, Komma fails to disclose or suggest these features of claim 9.

Claim 10 requires that “no portion of the three-beam diffraction grating overlaps the center of the polarization hologram when viewed from above or below.” Komma fails to disclose or suggest this feature of claim 10.

Claim 11 requires that “the three-beam diffraction grating is not located in a forward path of the forward beam between the laser emission part and the hologram, and wherein the three-beam diffraction grating is located only in a backward path of one of the holographic diffracted beams.” Komma fails to disclose or suggest this.

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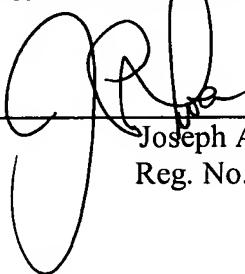
Claim 12 requires that "the three-beam diffraction grating is not located in a forward path of the forward beam between the laser emission part and the hologram; and wherein the three-beam diffraction grating is located in a backward path of only one of the holographic diffracted beams." Komma fails to disclose or suggest this.

Claim 13 requires that "no portion of the three-beam diffraction grating overlaps the center of the hologram when viewed from above or below." Komma fails to disclose or suggest this feature.

It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

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